



Serial No. 09/555,459
25 June 2001
Page 4

REMARKS

Claims 1 and 5 have been amended to clarify the language of the claims. These amendments are not being made for reasons of patentability.

An abstract on a separate sheet has been provided to obviate the objection to the specification.

The Examiner noted that the drawings were objected to. Formal drawings will be submitted when the application has been allowed.


The present invention is directed to an aseptic package for enclosing an intravaginal article. The package is made of a laminate comprising a layer of sealable material, a barrier layer and a damage protective layer. The package further contains a reclosable strip for reclosing the package after opening. The reclosable strip comprises a strip of polymeric material, which in one embodiment comprises a rib-and-groove reclosing means.

The Examiner has rejected claims 1-2 under 35 USC §102(b) as being anticipated by Gero (US 4,692,143). It is submitted that the Examiner is in error in this rejection. As noted above, the present invention is a package which comprises a laminate and a reclosable strip for reclosing the package after opening. Gero does not show a package which contains a reclosable strip. Thus, Gero does not disclose all of the elements of claims 1 and 2. Accordingly, Gero cannot anticipate claims 1-2 of the present invention. Withdrawal of this rejection is requested.

The Examiner has rejected claims 1, 3-5 and 7 under 35 USC §103(a) as being obvious over Gero (US 4,692,143) in view of Hisamitsu (JP7223653). It is submitted that the Examiner is in error in this rejection. The Examiner cited Hisamitsu to show laminating packages for containing medicines. Hisamitsu does not show a package which comprises a reclosable strip for reclosing the package after opening. Since this element is not shown or suggested in either of the cited references, the combination of Gero and Hisamitsu cannot render claims 1, 3-5 and 7 obvious. Withdrawal of this rejection is requested.

In view of the above amendments and remarks, it is believed that the claims satisfy the requirements of the patent statutes and are patentable over the cited prior art. Reconsideration of the

instant application and early notice of allowance are requested. The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Registration No. 28,957				
SIGNATURE				DATE	25 JUNE 2001
Address	Rothwell, Figg, Ernst & Manbeck Suite 701-East, 555 13th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031

Attachments: Marked-Up Copies of Amendments

Marked-up Copy of Amended Claims

1 (twice amended). An aseptic package enclosing an intravaginal article, the package having an exterior side and an interior side and comprising [being made of] a laminate and a reclosable strip for reclosing the package after opening, the laminate comprising, from the interior side to the exterior side, a layer of sealable material, a barrier layer and a damage protective layer, [wherein the package comprises a] and the reclosable strip comprises [for reclosing it after opening, said reclosable strip being in the form of] a strip of polymeric material.

5 (twice amended). A method for the aseptic packaging of an intravaginal article comprising placing the article into a sachet comprising [made of] a polyethylene - aluminum foil laminate and a polyester outer layer and further comprising a plastic rib-and-groove reclosing means[.,].